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Multi-stakeholder dialogue segment

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Note by the Secretary-General

Addendum**

Dialogue paper by nor-governmental organizations***

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I. Introduction

1. Ten years after the United Nations Conference on Environment and Development, held in Rio, Governments and political leaders are preparing to reconvene and openly admit that there is a "crisis of implementation". Given that combating poverty has been declared a priority by all Governments and United Nations summits during the 1990s, it is shameful that the actions do not match the words in the agreements. Urgent action is called for to help the more than 1.2 billion people, over 70 per cent of them women, who live in abject poverty, while also effectively overturning a situation of deepening ecological crisis. Inequities exist and have deepened between and within countries. There is widespread concern over the socially and environmentally irresponsible behaviour of many transnational companies. The current trend of increasing militarism also threatens the sustainability agenda.

2. The first three global sessions of the Commission on Sustainable Development acting as the preparatory committee for the World Summit on Sustainable Development have been disappointing. There should be no renegotiation of agreements already made. At the same time, merely reaffirming previous commitments will not suffice. Instead, the Johannesburg Summit must agree to a new framework for action that can generate political will and provide the tools to overcome the current implementation crisis.

3. An important challenge for the Summit will be to forge the necessary links among trade, investment, finance and sustainable development, and to make these agendas mutually reinforcing. The Summit will also need to counter the negative social, environmental and development trends arising from economic liberalization and trade negotiations within the World Trade Organization. Furthermore, the Summit needs to address the gaps in the Monterrey Consensus (A/CONF.198/11, chap. I, resolution 1, annex) on financing for development, including reform of the international financial architecture. The agreement on governance for sustainable development should include the strengthening — and, where needed, reform — of existing institutions at all levels to enhance democracy, human rights, popular participation, and a "rights-based approach" to strengthening the political capabilities of the poor and marginalized groups.

II. A call for political will and an action plan at the Johannesburg Summit, within the concept of a "global deal"

4. Non-governmental organizations call for the following outcomes of the Johannesburg Summit:

(a) A political declaration that strongly commits to step up poverty eradication, with the Millennium Summit goal as a minimum, and boost sustainable development, inter alia, through improved institutions and mechanisms for speeding up implementation of the Rio and other United Nations agreements. This should recognize the need for reshaping globalization to achieve a new balance among economic, social and environmental development, and a realignment of power relations between and within States;

(b) A concrete Johannesburg plan of action moving from "principle" to "action", through a programme with clear targets, indicators, time frames, financial resources, coordination, institutional arrangements and necessary capacity-building. Clear mechanisms are needed for monitoring, enforcement and compliance, and accountability as well as for improved civil society access to information and decision-making.

5. A number of countries have supported the concept of a "global deal". This could be a catalyst for political will. It would express what both Northern and Southern Governments are putting "on the table" to accelerate implementation of the Rio and Millennium Summit goals. In order to be manageable and effective, this deal would need to be an agreement between Governments at the highest level, not a tripartite agreement between government, industry and civil society. Cooperation or "partnerships" can add to and support intergovernmental agreements dedicated to sustainable development, but should not pre-empt the role and responsibilities of the State. Public-private partnerships without capacity for monitoring and enforcement may undermine the unique role of the United Nations in generating legally and politically enforceable agreements at the international level.

6. Furthermore, any global deal should serve to bridge the enormous North-South differences on key parameters, including: equity — eradicating poverty

through equitable and sustainable access to resources; rights — securing environmental and social rights; limits — reducing resource use to within sustainable limits; justice — access to justice, recognition of ecological debts and cancellation of financial debts; democracy — ensuring access to information and public participation; and ethics — rethinking the values and principles that guide human behaviour.

III. Renewing the North-South partnership and vision that began at Rio

7. The Johannesburg Summit needs to build on the positive and forward-looking results emanating from Rio (the environment-development link; the North-South partnership; the government/non-government dialogue; equity in and between countries and generations; expanding the rights of communities and people). More specifically, the outcome of the Summit should include or build upon:

(a) Effective national strategies for poverty eradication and promoting sustainable livelihoods in a gender-sensitive manner, including the necessary linkages and means of implementation; and the principle of common but differentiated responsibilities, according to the needs and capacities of countries;

(b) Phasing out by developed countries of trade-distorting and environmentally harmful subsidies, and improving market access for developing countries. Governments need to collectively rein in the forces of unfettered globalization to reverse the adverse effects of economic liberalization;

(c) Reform of unsustainable production and consumption models, particularly in developed countries, to help developing countries make the transition to sustainability;

(d) Increased official development assistance (ODA) beyond the Monterrey Consensus, including commitment to reform the international financial architecture and resolve the debt crisis;

(e) Technology assessment in all countries, and more transfer of sustainable and clean technology to developing countries;

(f) Application of the precautionary approach and the "polluter pays" principle;

(g) Strengthening of the social and environmental agenda in the developing world as well as the necessary institutional reforms, education and capacity-building for implementation;

(h) Improvement of international and national governance based on democracy, good governance, human rights and access to justice, public participation and decision-making at the lowest appropriate level;

(i) Recognition and expansion of the rights of individuals, communities and groups fighting for sustainable development, human rights and democracy.

8. The realization of many of these changes requires sincere political leadership and commitment to global well-being, and not just to the short-term economic goals of a few nations, transnational corporations, or elites within a country.

IV. A "rights-based approach" to natural resources

9. Many communities, especially in developing countries, rely on natural resources such as land, forests, fisheries, wetlands and coral reefs to meet their basic needs and those of future generations. Poverty eradication thus requires the promotion of sustainable livelihoods and a more gender-disaggregated understanding of poverty and environmental concerns. The rights of local communities and indigenous peoples to natural resources are essential. It requires a rights-based approach that secures the access of poor and vulnerable groups to financial and natural resources (including land rights and tenure). This poses new challenges for political structures, where the poor could gain increased influence.

10. The World Summit on Sustainable Development should recognize that all human beings have the right to a safe and healthy environment; the right to redress and environmental justice; and the right to determine their own path of development. The need for the rights-based approach is underlined by the tensions between diverse interest groups and countries over access to and control over natural resources, which are contributing to conflicts. These tensions may be played out in fights over water, valuable minerals, land rights or appropriate technology (for example, organic agriculture versus genetically engineered seeds). More attention thus needs to be given to domestic, regional

and international policy and priorities to prevent civil conflicts more effectively.

11. The World Summit on Sustainable Development should recognize the role of rural people as stewards of ecosystems and ecosystem functions and place the rural poor at the very centre of the development process, inter alia, in meeting the Millennium Summit millennium development goals. In connection with this, the World Summit on Sustainable Development should:

(a) Affirm that food is a human right, and that all countries must provide their citizens with the opportunity to feed themselves through their own production and/or purchasing power. Therefore, it is unacceptable that the current multilateral trade rules hinder many developing countries from securing the right to food. Sustainable food production in developing countries should be promoted through fair prices and market opportunities for farmers. Thus, there must be a phase-out of export subsidies and other trade-distorting subsidies to agricultural products in the developed countries. Their tariff barriers on agricultural products from developing countries should be removed;

(b) Affirm the importance of organic/ecological agriculture as a sustainable production system and support research, community programmes and expansion of lands under these forms of agriculture;

(c) Recognize access to sufficient and clean water and sanitation as a human right, and emphasize that national law should protect such access. The Dublin guiding principles, as contained in the Dublin statement adopted at the International Conference on Water and the Environment: Development issues for the Twenty-first Century, 26-31 January 1992, Dublin (A/CONF.151/PC/112, annex I) stress the social value of water. Nevertheless, in many countries privatization and user tariffs are undermining equity and social justice by restricting poor people's access to this public good and fundamental right. The Summit should develop an action plan to reach the Millennium Summit targets through promotion of community-based and integrated water resource management;

(d) Governments must make further progress on energy, including the reduction of greenhouse gases, far beyond the target of the Kyoto Protocol[1] to the United Nations Framework Convention on Climate Change.[2] The Summit should commit to a global initiative to use sustainable, decentralized forms of renewable energy to provide affordable energy by 2012 to the 2 billion people, mostly in rural and remote locations in developing countries, who currently have no access to modern energy services;

(e) Call for action to secure local livelihoods and conserve marine biodiversity and resources, including the adoption by 2004 of an agreed framework for the establishment of representative high seas protected areas, and through fisheries access agreements with coherent development and environment objectives;

(f) Initiate actions on forest landscape or ecosystem restoration to promote sustainable livelihoods and ecosystem integrity, inter alia, through national and regional action, as well as by launching a global initiative on this in 2002 and by encouraging the development of a joint work programme among the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa,[3] the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity,[4] by 2004.

V. Democracy, popular participation and institutional capacity-building

12. A trend of the ongoing globalization is privatization and weakening of the State's role. Non-governmental organizations call for progress to be made at local, national, regional and international levels regarding good governance, democracy and stronger institutions. This should include the World Summit on Sustainable Development agreement to:

(a) Promote democracies conducive to freedom of expression and association, justice and popular participation;

(b) Strengthen good governance based on subsidiarity (decision at lowest appropriate level), participatory planning, accountability, transparency and elimination of corruption;

(c) Promote institutional reforms for promoting more efficiency and accountability in service delivery to the public. In addition, institutions need to increase capabilities for multisectoral, integrated and multidisciplinary approaches;

(d) Create and support mechanisms for resolution of conflicts and further integration of environmental, social and human rights;

(e) Adopt measures to implement citizens' rights to access to information and participation in decision-making (principle 10 of the Rio Declaration on Environment and Development),[5] possibly through regional conventions inspired by the pan-European Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, adopted at Aarhus (Denmark) on 25 June 1998 (ECE/CEP/43);

(f) Establish institutional mechanisms at all levels that ensure a rights-based approach, including rights to a safe and healthy environment; to redress and environmental justice; and determination of one's own path of development;

(g) Strengthen local, national and regional institutions through sustainable development/ environmental education, public awareness and capacity-building initiatives. This applies particularly to capacity-building in developing countries and countries with economies in transition in order to enable their implementation of ratified agreements and their participation in international negotiations on sustainable development, including trade negotiations.

VI. International institutions for sustainable development

13. Economic liberalization dominating international, national and local spheres of life is a matter of concern, while sustainable development remains an elusive goal. The United Nations itself, the institutional home of sustainable development of the global system, has been weakened since 1992. The principle of common but differentiated responsibilities has lost out to economic competition and survival of the strongest.

14. However, political regulations to balance the negative impact of globalization are not in place yet. Policy-making is dominated by Northern interests and stakeholders, such as transnational companies, international financial institutions and donor agencies. The non-governmental organization community calls upon the Governments of the world to:

(a) Strengthen the existing framework for global governance of sustainable development, to create a more balanced global power structure with a far more active and internationally oriented civil society;

(b) Strengthen a global governance framework based on the principles of democracy, equity, transparency and justice;

(c) Ensure stronger enforcement and compliance with global environmental rules, which are applicable to rich and poor nations alike, in accordance with the principle of common but differentiated responsibilities;

(d) Establish and apply indicators for tracking progress of nations and international institutions in promoting good governance and democracy;

(e) Counterbalance the international financial institutions and the World Trade Organization with stronger institutions on environment and social issues;

(f) Strengthen governance structure that is accountable and transparent and provides an effective way of mainstreaming sustainable development within the economic institutions;

(g) Strengthen United Nations institutions (United Nations Environment Programme (UNEP), United Nations Development Programme (UNDP) etc.) and enhance the coordination, policy and monitoring role of the Commission on Sustainable Development. Any such efforts will require a clear mandate, less fragmentation, more resources and institutional strengthening;

(h) Integrate long-term sustainable development goals into the policies, country strategies and operational guidelines of relevant United Nations agencies and international financial institutions, ensuring that their activities are consistent with the priorities of developing countries.

VII. Stakeholders and partnerships

15. Partnerships can be valuable. Cooperation among different parts of society, including Governments, is nothing new, and has often produced positive results. However, there is serious concern in the non-governmental organization community that the strong promotion of partnerships as type 2 outcomes could result in Governments' evading any meaningful commitments at the World Summit on Sustainable

Development. Governments and the United Nations cannot relegate the vital goal of sustainable development to largely voluntary initiatives, especially since the current emphasis is on global private-public sector partnerships.

16. The reality is that private corporations are a major part of the problem. Corporate accountability and regulation are needed, not further expansion of corporate rights. Communities and citizens have rights that must be recognized and expanded, as they are by far the weaker party in the scale of power relations. Thus, while the Commission on Sustainable Development and other international processes have increased civil society participation to some extent, there is a questionable assumption that civil society, compartmentalized into major groups and stakeholders, can sit at round tables to reach consensus. Often, the interests of industry and communities (and their organizations) are diametrically opposed. Mechanisms are needed to deal with such conflicts, not diffuse or sideline them. Accordingly, Governments have their due role to play.

17. Non-governmental organizations emphasize that:

(a) The World Summit on Sustainable Development must reaffirm the responsibility of Governments to implement sustainable development by acting on their commitments under the Summit action plans and multilateral environmental agreements;

(b) Governments have to provide transparent, accountable and participatory frameworks for partnerships. Such frameworks must extended to the global level, as many United Nations agencies are already engaged in partnerships with transnational corporations;

(c) The World Summit on Sustainable Development must call for a review of such partnerships, including the Global Compact.

VIII. Corporate accountability

18. The paving of the way at Rio for business to act as a "partner in sustainable development" was characteristic of the decade of continuing deregulation and supremacy of market forces in the policies and laws of almost all countries. This has increased the concentration of wealth and power in the hands of a small part of the world's business community, to the detriment of sustainable development and human rights.

19. The current tools of trade and aid are available to, and often used by, the rich countries against the poor, and to subsidize the exports of the private sector. Global rules and governance in trade, investment and finance (including the global financial system) must thus be reformed to meet the goal of sustainable development. Frameworks have to be established and enforced to combat corruption at all levels.

20. Since political and financial support from major developed countries to the United Nations system is on the decrease, attempts have been stepped up to embrace the private sector, especially transnational corporations, as deliverers of sustainable development. However, global rules that have been shaped to turn natural resources and people into commodities and markets are resulting in major problems.

21. The World Summit on Sustainable Development must endorse corporate accountability and regulation. Non-governmental organizations will campaign for a legally binding framework/convention for corporate accountability and liability under the aegis of the United Nations, with independent mechanisms for monitoring progress and enforcement. Meanwhile, the World Summit on Sustainable Development must decide to fundamentally review and reform the Global Compact, or even dissolve it if necessary, to safeguard the public credibility of the United Nations.

IX. Sustainable consumption and production

22. Overconsumption is undermining sustainable development and can exacerbate poverty. Sustainable development cannot be achieved without fundamental changes in the way industrialized societies produce and consume. The World Summit on Sustainable Development should request Governments to adopt the guidelines for consumer protection (General Assembly resolution 39/248, annex) and to undertake implementation of the following recommendations: (a) raise consumer awareness of the importance of sustainable consumption and production patterns; (b) examine and address the effect of the use of media and advertising on sustainable consumption and production, especially with the aim of addressing the negative impacts on developing countries and

vulnerable groups like children; (c) identify and report on the progress of phasing out environmentally and socially harmful subsidies that encourage unsustainable patterns of production and consumption; (d) encourage and support civil society development of awareness campaigns, and monitoring and assessment of national and international progress towards sustainable consumption and production; and (e) actively promote eco-design, eco-labelling and other transparent, verifiable and non-misleading consumer information tools.

23. The Rio principles of precaution and the polluter pays should be followed up in practice. Thus, a binding international agreement on liability should be negotiated, making producers financially liable for the environmental effects of their products released to the market. Concepts such as the "ecological footprint" and tools such as green taxes, internalization of external costs and emissions bans need to be implemented. Technology assessment that covers environmental, social, safety, health and economic impacts needs to be integrated into national policies, and the actions agreed at the first session of the Commission on Sustainable Development should be implemented.

X. Trade and sustainable development

24. If the World Trade Organization is to live up to its own objective to contribute to sustainable development in a meaningful way, its work programme must not focus narrowly on market liberalization as the prime and overall objective. Instead, the focus must be on the need for making trade a tool that serves sustainable development, incorporating social and environmental concerns. In the last 10 years, small producers, particularly the rural poor, are at a marked disadvantage when competing in this new economic context.

25. The rich nations should fulfil their commitments to grant market access to the agricultural and industrial products of the South. Such increased market access requires a massive confrontation with vested interests. It will require significant changes in European Union (EU) agricultural subsidies and preferential treatment by the United States of America of its own farmers. This is something the rich countries must be willing to accept, while at the same time giving the developing countries practical help in order for them to utilize and shape the international trade rules in the best possible way. While multilateral rules are needed in some respects, countries must retain the right to shape their own national sustainable development policies and priorities in a democratic manner.

26. The following are specific recommendations for making trade policy more sustainable: (a) improve market access for developing countries, and progress on tariffs and subsidies: industrialized countries should phase out subsidized agricultural overproduction and export dumping; (b) fundamentally reform the role of export credit agencies which have largely become subsidies providers for the private sector of exporting countries; (c) end the International Monetary Fund (IMF)-World Bank use of conditionalities which force poor countries to open their markets indiscriminately, regardless of the impacts on poor people and the environment; (d) promote diversification and end oversupply in major commodities, in order to raise prices to fair and equitable levels for producers in poor countries; (e) promote fair-trade strategies allowing agricultural producers to charge more by placing a price premium on greater social benefits and less environmental harm; (f) review and reform the intellectual property rules to enable developing countries to afford new technologies and basic medicines, and farmers to benefit from adequate seed provision systems, retaining the ability to save, exchange or sell seed, as well as to benefit indigenous people; (g) prohibit rules that force Governments to liberalize or privatize basic services vital for poverty reduction or the public interest; (h) democratize the World Trade Organization; (i) eliminate all "environmentally perverse" subsidies, and redirect such resources to environmental protection and social development; (j) Government should address the tension between the trade-environmental regimes: trade rules must respect environmental and social/poverty objectives; (k) integrate the precautionary principle and common but differentiated responsibilities principle into trade disputes and trade rules; (l) introduce mechanisms to assess the social, economic and environmental (sustainability) impacts prior to the negotiation of any new World Trade Organization agreement; and (m) improve the quality of private-sector investment and labour standards.

XI. Financing sustainable development

27. Better financing for development is needed through improved and increased development assistance targeting poverty reduction and sustainable development. Unfortunately, the outcome of the Monterrey International Conference on Financing for Development was disappointing, without a clear deadline for achieving the commitment of developed countries to provide 0.7 per cent of their gross national product (GNP) to development assistance.

28. Non-governmental organizations underscore the need for: (a) a time frame to reach the target of 0.7 per cent of GNP for official development assistance by developed countries; (b) more transparent systems to ensure the effective use of such assistance; (c) allocation of at least 20 per cent of the funds to education, health, agriculture for food security and natural resource management in the least developed countries; (d) further relief or cancellation of the debts of highly indebted developing countries, and restructuring of debt for countries with economies in transition, taking into account environment and social aspects; (e) enhancement of multilateral financing mechanisms, including replenishment of the Global Environment Facility (GEF); (f) reallocation of budgets from military spending to poverty eradication and sustainable development; (g) mechanisms such as global taxation to ensure that financial markets and the private sector contribute to sustainable development; and (h) financing the transfer of environmentally sustainable technologies to enable developing countries to leapfrog to sustainable technologies.

XII. Focus on Africa's sustainable development initiatives

29. Urgent actions are required to stop the African region from being marginalized and negatively affected by globalization and structural adjustment programmes. The World Summit on Sustainable Development needs to call for speedy action for change, which can support country-owned and regionally owned processes aiming at sustainable development, poverty eradication, peace, security and stability in the continent. The New Partnership for Africa's Development (NEPAD) is being promoted by a number of African Governments. However, more public debate and consultations with civil society are needed. African civil society has not played any part in the conception, design and formulation of NEPAD.

30. The Summit should agree to give special attention to the least developed countries in Africa, including funding commitments, resolution of the debt burden, genuine technology partnerships, capacity-building, and support for implementation of the United Nations Convention to Combat Desertification. Furthermore, the Summit must address the impact of human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) on all aspects of sustainable development, implementing the actions and fulfilling the time lines adopted at the special session of the General Assembly on HIV/AIDS held in 2001.

XIII. Convention ratification

31. The non-governmental organization community calls upon all countries to ensure the ratification by the Summit of conventions relevant to sustainable development, including the Kyoto Protocol to the United Nations Framework Convention on Climate Change, the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks,[6] the Amendment (UNEP/CHW.3/35) to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal,[7] the Stockholm Convention on Persistent Organic Pollutants, and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, on which negotiations have been concluded.

Notes

[1] FCCC/CP/1997/7/Add.1, decision 1/CP.3, annex.

[2] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[3] Ibid., vol. 1954, No. 33480.

[4] See United Nations Environment Programme, *Convention on Biological Diversity* (Environmental Law and Institution Programme Activity Centre), June 1992.

[5] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolution Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

[6] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. I; see also A/CONF.164/37.

[7] United Nations, *Treaty Series*, vol. 1673, No. 28911.